

**CITY OF SALEM
MINUTES OF THE COMMON COUNCIL MEETING
OF AUGUST 21, 2018**

A meeting of the Common Council of the City of Salem was called to order by Council President Karen Roots. The meeting took place at 1 New Market Street, Salem, New Jersey at 6:30 p.m. The meeting was opened with the Pledge of Allegiance followed by an Invocation by Deaconess Sally Maurer.

John Burzicelli administered the oath of office to Council Member James Smith and Council Member William Corbin.

Present: Council President Karen Roots, Councilpersons: Ruth Carter, William Corbin, Earl Gage, Sharon Kellum, James Smith and Council President Karen Roots. Also, in attendance were Andrea Rhea-City Solicitor and Dave Crescenzi-CFO. Councilman Vaughn Groce, Councilman Horace Johnson and Mayor Charles Washington were absent.

STATEMENT OF THE OPEN PUBLIC MEETINGS ACT

NOTICE OF THE REGULAR MEETINGS OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SALEM, AS REQUIRED BY N.J.S.A. 10:4-6 ET SEQ., THE "OPEN PUBLIC MEETINGS ACT", HAS BEEN PROVIDED BY THE PUBLIC ADVERTISEMENT AND POSTING AT THE MUNICIPAL ANNEX OF A SCHEDULE ADOPTED BY RESOLUTION ON JANUARY 1ST, 2018 SETTING FORTH THE TIME, DATE AND PLACE OF ALL THE REGULAR MEETINGS OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SALEM.

APPROVAL OF PAYMENT OF BILLS

A Motion was made by Councilwoman Sharon Kellum and seconded by Councilman Earl Gage to approve payment of bills. All members voted in Favor. Motion carries.

APPROVAL OF MINUTES

A Motion was made by Councilman Gage and seconded by Councilwoman Kellum to approve the minutes from meetings of July 16, 2018 and July 30, 2018. All members voted in favor. Motion carries.

COMMUNICATIONS/APPLICATIONS/REPORTS

Council President Roots and Councilman Gage presented certificates of Appreciation to employees who worked at the City Pool during the 2018 season.

INTRODUCTION OF RESOLUTIONS FOR CONSIDERATION

**CITY OF SALEM
RESOLUTION 2018-125**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN
AGREEMENT WITH CHERRY WEBER AND ASSOCIATES FOR THE
2018 INSPECTION OF ELKINTON POND DAM**

WHEREAS, the City of Salem is in need of professional services to conduct an inspection of the Elkinton Pond Dam in accordance with the NJDEP’s guidelines for the same; and

WHEREAS, the firm of Cherry, Weber & Associates has proposed to provide the services in accordance with their letter dated April 4, 2018 for the amount of \$3,000.00; and

WHEREAS, the Salem City CFO has certified that funds are available for the services.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Common Council of the City of Salem, County of Salem and State of New Jersey, that the Mayor is authorized to execute an agreement with Cherry Weber & Associates to provide services for the inspection and report in accordance with the NJDEP’s guidelines in the amount of \$3,000. As set forth in their proposal dated April 4, 2018.

ATTEST:

CITY OF SALEM

David Crescenzi, Deputy Clerk

Karen Roots, Council President

Adopted: August 20, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			x			
W. Corbin			x			
E. Gage	x		x			
V. Groce						x
H. Johnson						x
S. Kellum		x	x			
J. Smith			x			
K. Roots			x			

I, David Crescenzi, Deputy City Clerk of the City of Salem, in the County of Salem, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Common Council of the City of Salem on August 20, 2018.

Date

Clerk

**CITY OF SALEM
RESOLUTION 2018-126**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN
AGREEMENT WITH CHERRY WEBER AND ASSOCIATES FOR THE
2018 INSPECTION OF QUINTON POND DAM**

WHEREAS, the City of Salem is in need of professional services to conduct an inspection of the Quinton Pond Dam in accordance with the NJDEP’s guidelines for the same; and

WHEREAS, the firm of Cherry, Weber & Associates has proposed to provide the services in accordance with their letter dated April 4, 2018 for the amount of \$3,000.00; and

WHEREAS, the Salem City CFO has certified that funds are available for the services.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Common Council of the City of Salem, County of Salem and State of New Jersey, that the Mayor is authorized to execute an agreement with Cherry Weber & Associates to provide services for the inspection and report in accordance with the NJDEP’s guidelines in the amount of \$3,000. As set forth in their proposal dated April 4, 2018.

ATTEST:

CITY OF SALEM

David Crescenzi, Deputy Clerk

Karen Roots, Council President

Adopted: August 20, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			x			
W. Corbin			x			
E. Gage	x		x			
V. Groce						x
H. Johnson						x
S. Kellum		x	x			
J. Smith			x			
K. Roots			x			

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Clerk

**CITY OF SALEM
RESOLUTION 2018-127**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
DISCHARGE OF MORTGAGE FOR PROPERTY LOCATED AT 17
DAVIS AVENUE**

WHEREAS, Milton Epps executed a mortgage on June 23, 2008 to secure a loan in the amount of \$14,910.00 made through the City of Salem Neighborhood Preservation Program; and

WHEREAS, by terms of the mortgage, the same shall be forgiven in its entirety upon the fifth year of executing the mortgage.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Common Council of the City of Salem, County of Salem and State of New Jersey, that the Mayor is authorized to execute a discharge of mortgage for the mortgage listed above, recorded at Book 02431, Page 00332 in the Salem County Clerk's office for property designated as Block 71, lot 15 and located at 17 Davis Ave. Salem, N.J.

ATTEST:

CITY OF SALEM

David Crescenzi, Deputy Clerk

Karen Roots, Council President

Adopted: August 20, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			x			
W. Corbin			x			
E. Gage	x		x			
V. Groce						x
H. Johnson						x
S. Kellum		x	x			
J. Smith			x			
K. Roots			x			

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Clerk

**CITY OF SALEM
RESOLUTION NO. 2018-128**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LETTER TO THE
US DEPARTMENT OF AGRICULTURE DEMONSTRATING FINANCIAL
COMMITMENT TO THE EXPENSE OF WELL NO. 9 NOT COVERED BY USDA OR
NJ DEPT OF COMMUNITY AFFAIRS GRANTS AND FUNDING**

WHEREAS, the City of Salem is in need of constructing a new well to supply water to the City of Salem residents (hereafter known as Well No. 9); and

WHEREAS, the City was previously awarded \$500,000. from the Emergency Community Water Assistance Grants, along with a \$400,000. Grant from the New Jersey Department of Community Affairs Small Cities Public Facilities Program; and

WHEREAS, despite diligent efforts by the City to control the costs of the project, the project Engineer has anticipated that costs for the project have risen to approximately \$1,399,800 due to the complexities of the project; and .

WHEREAS, it is necessary to demonstrate a commitment to provide for the shortfall of the cost of the project so that it can be completed.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Common Council of the City of Salem that the Mayor is authorized to execute the attached letter to the USDA that advises that the City will commit to obtaining funding necessary to cover the shortfall in the expense of the Well No 9 project that is not covered by the USDA or NJ Dept of Community Affairs grants and funding.

ATTEST:

CITY OF SALEM

David Crescenzi, Deputy Clerk

Karen Roots, Council President

Adopted: August 20, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
W. Corbin		X	X			
E. Gage	X		X			
V. Groce						X
H. Johnson						X
S. Kellum			X			
J. Smith			X			
K. Roots			X			

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Clerk

**CITY OF SALEM
RESOLUTION 2018-129**

**A RESOLUTION APPOINTING ZULEMYA GARCIA AS
DEPUTY MUNICIPAL COURT ADMINISTRATOR**

WHEREAS, the City of Salem has the need for a Deputy Municipal Court Administrator.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Common Council of the City of Salem, County of Salem and State of New Jersey, that Zulemya Garcia be appointed as Deputy Municipal Court Administrator for the City of Salem for an annual salary of \$ 31,000. in accordance with the City Salary Ordinance .

BE IT FURTHER RESOLVED that said employee shall serve a 90 day probationary term after which her salary shall be \$ 33,000.00 upon satisfactory completion of the probationary term.

BE IT FURTHER RESOLVED that the residency requirement is waived for this appointment due to the lack of applicants holding the necessary certifications and qualifications from the City.

ATTEST:

CITY OF SALEM

David Crescenzi, Deputy Clerk

Karen Roots, Council President

Adopted: August 20, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			X			
W. Corbin			X			
E. Gage	X		X			
V. Groce						X
H. Johnson						X
S. Kellum		X	X			
J. Smith			X			
K. Roots			X			

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COMMITTEE REPORTS

ADMINISTRATION (Roots, Gage, Johnson, Carter) contracts discussed. No details at this time.

PUBLIC SAFETY (Gage, Groce, Roots, Carter) The public safety committee discussed issues pertaining to fire, police. An item will be discussed in closed session.

PUBLIC WORKS (Groce, Roots, Gage) Discussion regarding restructuring departments

CITY PROPERTY /CAPITAL (Carter, Kellum, Roots) Phase 3 of Grieves Parkway is completed, Phase 4 to undergo bids, discussion regarding a discharge of mortgage that was addressed in a resolution on the agenda

NEIGHBORHOOD INITIATIVES/COMMUNITY SERVICES (Johnson, Roots, Carter)

No meeting last week, success of the pool recognized, Council member Corbin thanked everyone for their efforts

MAYORAL COMMENTS – None

OLD BUSINESS - None

NEW BUSINESS - The CFO explained the community activator cards for communication with Council.

PUBLIC PORTION –

Larry Santiago, 300 N Market St. questioned drug free school zones. He complained of drug activity in broad daylight and said he was told the City was understaffed. He asked if there were cameras. Councilman Gage explained that new officers were hired and a discussion regarding the existence / locations of cameras may risk security.

Heather Ashfield questioned Council about an entertainment application. She questioned about the condition of the school track and who was responsible.

A motion was made by Councilman Gage to close the public portion, seconded by S. Kellum. All in favor, motion carried.

CITY OF SALEM
RESOLUTION 2018-130
Resolution Authorizing Executive Session

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12b permits a public body to go into a closed session during a public meeting to discuss certain matters as follows:

(1) *Matters Required by law to be confidential:* Any matter which by express provision of the Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

(2) Any matter in which the release of information would impair the right to receive federal funding.

(3) *Matters involving individual privacy:* Any matter, the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations or other personal material of any education, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including, but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned .

(4) *Matters pertaining to a collective bargaining agreement:* Any matter involving a collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

(5) *Matters relating to the purchase, lease acquisition of real property or investment of public funds:* Any matter involving the lease, purchase or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

(6) *Matters of public protection:* Any tactic and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection.

(7) *Matters relating to litigation, negotiations and attorney-client privilege:* Any matter of pending or anticipated litigation or contract negotiation other than in (4) above in which the Board is or may become a party . Any matters falling within the attorney-client privilege, to the extent that confidentiality is required for the attorney to exercise ethical duties as a lawyer.

(8) *Matters relating to the employment relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of , promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all of the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed in public.

(9) *Deliberations after public hearing.* Deliberations by the Board occurring after a public hearing that may result in a civil penalty or the suspension or loss of a license or permit of a responding party.; and

WHEREAS, the City Council has determined that it is necessary to go into a closed session to discuss certain matters relating to the items as permitted by N.J.S.A. 10:4-12b

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Salem that the Council will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act , after which it will reconvene in the public :
 A. contract negotiations, attorney client privilege

BE IT FURTHER RESOLVED, that the minutes of the closed session will be made available to the public when the need for privacy no longer exists.

ATTEST:

CITY OF SALEM

 David Crescenzi, Deputy Clerk

 Karen Roots, Council President

Adopted: August 20, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			x			
W. Corbin			x			
E. Gage	x		x			
V. Groce						x
H. Johnson						x
S. Kellum		x	x			
J. Smith			x			
K. Roots			x			

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Once the Council resumed the public portion of the meeting, on Gage's motion, seconded by Kellum, the Solicitor was authorized to communicate with the developers of the Nelson House consistent with discussions held in closed session. All in favor, motion carried.

On motion of Gage, seconded by Kellum, a meeting with PSE&G will be requested. All in favor, motion carried.

The following resolution was adopted by the Council :

**CITY OF SALEM
COUNTY OF SALEM**

RESOLUTION NO. 2018-131

**A RESOLUTION AUTHORIZING THE PURCHASE OF BLOCK 12 LOT 16 BY THE
SALEM CITY FREE PUBLIC LIBRARY AND LEASE AGREEMENT WITH THE
SALEM CITY FREE PUBLIC LIBRARY**

WHEREAS, the City of Salem Free Public Library (the “Library”) is currently located at 112 West Broadway, Salem, New Jersey; and

WHEREAS, the Library would like to purchase the adjacent property located at 116 W. Broadway (Block 12 Lot 16) (the “Property”) for purposes of expansion of its existing facility; and

WHEREAS, pursuant to N.J.S.A. 40:54-25, the Library has certified to the City of Salem (the “City”) the amount of money, in addition to such moneys as it may have on hand applicable to such purposes, necessary for the purpose of making such purchase of land, the erection of buildings or other improvements thereof, and certified the total amount of moneys and funds available for the purchase of lands or erection of buildings, and an estimated account of the amount necessary for the maintenance of the library for the balance of the then current year.; and

WHEREAS, upon receiving the aforementioned information from the Library, the City would like to authorize the Library to expend the sums of money necessary to purchase the Library; and

WHEREAS, it is understood that pursuant to N.J.S.A. 40:54-25, title to the property shall be taken in the name of the City; and

WHEREAS, the City and the Library would like to enter into a lease agreement.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Common Council of the City of Salem that:

1. The Library is hereby authorized to expend the sums of money necessary to purchase the Property in order to expand the existing library facility, subject to the Library and City entering into a lease agreement in a form approved by the Solicitor.
2. The Mayor shall be authorized to execute the Lease Agreement provided that the changes requested by the City are incorporated into said lease and upon approval of the form by the Solicitor.

ATTEST:

CITY OF SALEM

David Crescenzi, Deputy Clerk

Karen Roots, Council President

Adopted: August 20, 2018

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
R. Carter			x			
W. Corbin			x			
E. Gage	x		x			
V. Groce						x
H. Johnson						x
S. Kellum			x			
J. Smith		x	x			
K. Roots			x			

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